

PRC/OR

United States District Court
Southern District of Texas
FILED

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS**

APR 6 - 2007

Michael N. Milby, Clerk

CARLOS JAIME TORRES CARDENAS
Petitioner, Pro se

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M-07 - 022

v.

CIVIL ACTION NO. _____

ALBERTO R. GONZALEZ, Attorney General
of the United States of America;
MICHAEL CHERTOFF, Secretary of the
Department of Homeland Security;
MARK MOORE, District Director, Bureau of
Immigration and Customs Enforcement,
San Antonio District, Et. Al.,
Respondents

**PETITION FOR WRIT OF HABEAS CORPUS
UNDER 28 U.S.C. § 2241**

INTRODUCTION

COMES NOW, CARLOS JAIME TORRES-CARDENAS, (hereafter
“Petitioner”), acting Pro se, and petitions this Honorable Court for a writ of habeas
corpus to remedy his unlawful detention by Respondents.

CUSTODY

1. Petitioner is currently being held in executive detention by the United States Bureau of
Immigration and Customs Enforcement (hereafter “ICE”). Petitioner is presently detained
at the Port Isabel Detention Center located at Los Fresnos, Texas.

JURISDICTION

2. This Court has personal jurisdiction over Respondents ALBERTO R. GONZALEZ,
Attorney General of the United States; MICHAEL CHERTOFF, Secretary of the
Department of Homeland Security; and MARK MOORE, District Director for the Bureau
of Immigration and Customs Enforcement, San Antonio District; (hereafter

“Respondents”), because Respondents can be reached by service of process. *See, e.g., Braden v. 30th Judicial Circuit of Kentucky*, 410 U.S. 484, 495 (1973).

3. This action arises under the Constitution of the United States, the Immigration & Nationality Act (INA), 8 U.S.C. § 1101 *et. seq.*, and the Administrative Procedure Act (APA), 5 U.S.C. § 701 *et. seq.* This Court has jurisdiction pursuant to 28 USC § 2241(c)(1) & (3), art. I. § 9, cl. 2 of the United States Constitution (Suspense Clause), and 28 USC § 1331, as the petitioner is in the custody of the United States Attorney General, the United States Department of Homeland Security, and the Bureau of Immigration and Customs Enforcement, under color of laws of the United States, and such custody is in violation of the Constitution, laws, or treaties of the United States. *See e.g., Mayers v. United States Immigration and Naturalization Service*, 175 F.3d 1289, 1299 (11th Cir. 1999). This Court has authority to grant relief pursuant to 28 USC § 2241, the Administrative Procedures Act, 5 USC §§ 701-706, the Declaratory Judgement Act, 28 USC § 2201 *et. seq.*, and the All Writs Act, 28 USC § 1651.

4. Venue is proper within this court pursuant to 28 USC § 1391. Venue lies in the United States District Court for the district in which the Petitioner has been detained and from which ICE will reinstate and execute the final order of removal / deportation.

STATEMENT OF FACTS

5. Petitioner was born on August 12, 1954, in General Teran, Nuevo Leon; Mexico. On December 5, 1955, Petitioner, then an infant and accompanying his parents, was admitted into the United States as a Legal Permanent Resident (LPR). Petitioner has been raised, educated, and has lived his entire life in the United States. (*See Petitioner’s Birth Certificate; Exhibit (A)*).

6. Petitioner’s paternal Grandmother was a United States Citizen by birth; and by this fact, Petitioner’s Father was a citizen derived through the citizenship of his Mother. (*See Petitioner’s Grandmother’s, JOSEFINA JIMENEZ, Certificate of Baptism, exhibit (B)*);

and Father's, ISAAC TORRES SR., Death Certificate, exhibit (C) & copy of INA 301(h) exhibit (D).

7. Petitioner's entire immediate family: Sons, Daughter, Brothers, and Sisters are all United States citizens and all live in the United States. Petitioner's Mother is a naturalized citizen of the United States, and she too lives in the United States. Petitioner has no immediate family remaining in Mexico. Petitioner is the oldest of the children born to his parents and is the only one who was born outside the borders of the United States. Petitioner has not lived in Mexico for any extended period(s) of time, not since he was admitted into the United States as a LPR on December 5, 1955. Petitioner does not have now nor has he ever had any close ties to Mexico. (*See Petitioner's Mother's, VIRGINIA C. TORRES, Naturalization Certificate # 12022391; dated: November 13, 1984, exhibit (E).*)

8. On August 15, 1972, just after Petitioner turned 18, Petitioner voluntarily enlisted in the United States military. The United States was in a hostile conflict in Viet Nam at that time and many young men were afraid to register with the Selective Service System for possible conscription, much less enlist with the military. Many young men evaded their obligation and duty for military service by fleeing to Canada or to some other foreign country. Petitioner served 4 years on active military duty in the United States Army. While in the military, Petitioner made an inquiry with his Commanding Officer (CO), Capt. Robert Brazzel, about becoming a citizen of the United States. The CO informed the Petitioner that when he, the Petitioner, had enlisted, had raised his hand and had taken the induction oath of the United States military; the Petitioner had sworn to defend the United States and the United States Constitution and by having done so, Petitioner had automatically become a United States citizen. Petitioner trusted his CO and never thought of getting any documentation as to this information and left it at that. In 1976, Petitioner was separated from the military with an Honorable Discharge. Afterward, Petitioner learned that what his CO had said to him might not have been exactly correct because, after his military service terminated, Petitioner wanted to continue to serve with the United States government and made an attempt to apply with the Civil Service

Commission, Petitioner was informed that to receive an application and to apply for a Civil Service position, that he had to be an American citizen. It was then that Petitioner learned that what his CO had said might have been incorrect. (*See Petitioner's Honorable Military Discharge, DD214, exhibit (F)*).

9. In the first part of 1977, Petitioner submitted an application for naturalization to become a United States Citizen to the then Immigration and Naturalization Service (INS) in San Francisco, California. Petitioner never received any notification confirming acceptance and or receipt of his application by the INS, nor did Petitioner receive any notices advising him of any appointments with the INS concerning his application for naturalization. Subsequently, in 1978, Petitioner submitted a second application for naturalization and had the same results as his first application. Petitioner thought his applications for naturalization had been rejected or denied and gave up all further attempts at becoming a naturalized citizen of the United States, without ever asking for any explanations as to why he was never contacted concerning his applications for naturalization.

10. In early November of 1979, Petitioner moved his Mother, Brothers, and Sisters from California to join his Father living in Houston, Texas. It was in Houston that Petitioner met his common law wife, Diana Mosqueda, and together they had 5 handsome and wonderful sons. The relationship lasted for 10 years and at the end, Petitioner was deeply depressed and saddened for having lost his family. Petitioner always tried to provide for his family to the best of his abilities and would do anything to keep his family together.

11. Regretfully, there come a time when we commit acts of desperation that we wish we could undo. The errors we've committed will be with us for the rest of our lives, no matter how hard we try to better ourselves. In May of 1992, Petitioner was arrested for simple possession of a controlled substance (marijuana) and after several court appearances; Petitioner agreed on be placed on deferred adjudicated probation. During sentencing, Petitioner requested that his probation be transferred to Hidalgo County, away from Harris County, and the Presiding Judge approved the request. But the

Petitioner's Probation Officer (PO) said he would transfer Petitioner after a short period of probation in Harris County. Many times, Petitioner requested that his PO transfer his probation to Hidalgo County, away from Houston and away from the company he used to associate with, but the PO refused to do as the Petitioner asked, and what the court had ordered. On February 6, 1994, Petitioner was arrested for constructive delivery of a controlled substance (marihuana). Petitioner was given a court-appointed attorney, who didn't even want to listen to what the Petitioner had to say. After waiting for more than 8 months in the Harris County Jail, without once speaking to his attorney concerning what really happened in his situation, Petitioner pled guilty to all the charges against him because his 'lawyer' said there was nothing he could do, which, as it turned out, was because of a conflict of interest. As a result, Petitioner learned that his court-appointed attorney was running for the Judgeship of one of the District Courts in Harris County. Petitioner was sentenced to 10 years in the Texas Department of Criminal Justice (TDC), of which he then served 4 years at a minimum-security prison in Snyder, Texas, and was released on February 8, 1998.

12. Upon the Petitioner's release from TDC in Huntsville, Texas, Petitioner was immediately taken into custody by the INS and was eventually transferred to the detention center in Houston, Texas and was subsequently taken before an Immigration Judge. On March 17, 1998, after being in Immigration Detention for more than a month and after several court appearances before the Honorable Susan Yarbrough, Immigration Judge at the detention center, Petitioner was informed that he did not qualify for any type of relief. Being unable to afford legal counsel or to speak with anyone directly to receive legal advice concerning his deportation proceedings, Petitioner, reluctantly and hesitantly signed the order of his removal. Petitioner did however have an opportunity to speak with a lady from the Mexican Consulate in Houston prior to his deportation. The lady told Petitioner that Mexico welcomed its people back and that there would be no problems what-so-ever for him when he returned.

13. On March 25, 1998, Petitioner was deported and returned to Mexico. There he attempted to live a normal life and tried to fit in with the Mexican society. In his difficult

search for employment, Petitioner learned that without proof of military service for Mexico, he could not and would not be employed. Petitioner learned that because it was alleged that he was a Mexican citizen who had served in a foreign military; by having enlisted in and served in the United States military; Petitioner had committed treason against Mexico. Petitioner also learned that the punishment he faced in Mexico would be up to 5 years in a military stockade, all for doing what Petitioner believed and felt was the proper thing to do for his adopted country.

14. In the first week of August of 1998, Petitioner's Mother had triple by-pass open-heart surgery. Petitioner returned to the United States to help look after both his Mother and Father, because both parents were now in poor health and they needed full time assistance. There's a saying that goes: "when it rains, it pours" and when things go bad, they go really bad. Well, this is what happened to Petitioner's family. On November 5, 1998, while Petitioner's Mother was recovering from her operation and while Petitioner's Father was in the hospital, Petitioner's youngest brother, Oscar N. Torres, died suddenly and unexpectedly of a heart attack, at the age of 37. Then, 5 short months later, on April 13, 1999, Petitioner's Father also died, of cirrhosis of the liver. After this, Petitioner was left with the duty of looking after his ailing Mother. Apart from the triple by-pass operation, Petitioner's Mother continues to suffer from numerous other ailments that include: diabetes, high blood pressure, glaucoma, and depression. She has had a pacemaker put into her chest and has difficulties standing for any period of time; she can no longer drive a vehicle, and has very poor eye vision. Petitioner has been in charge of his Mother; to take her to her Doctor's appointments, to her church, to the pharmacy and to the grocery store. Petitioner also cooks many of his Mothers meals. She also suffers from numerous other female related ailments that she is too embarrassed about to discuss them with Petitioner. Petitioner is the person his Mother depends on most for almost everything. (*See Petitioner's Brother's, OSCAR NOEL TORRES, Death Certificate, exhibit (G); and Father's Death Certificate, exhibit (C)*).

15. On October 15, 2005, Petitioner was taken into custody by ICE and placed in Executive Detention for returning to the United States without authorization. On January 3, 2006, Petitioner went before the Honorable Ricardo Hinojosa, United States District Court Judge for the Southern District of Texas, and there and then pled guilty to the charge brought against him by the Department of Homeland Security (DHS). On October 26, 2006, more than 10 months after pleading guilty and more than a year after his arrest, Petitioner was again taken before the Honorable Ricardo Hinojosa, and there and then was sentenced to 'time-served' in federal detention. Petitioner learned that he was to be deported once more, wherefore Petitioner then requested an interview with an ICE agent for 'credible fear'. On October 31, 2006, the Petitioner was once again placed in Executive Detention by ICE and brought to the ICE detention center at Los Fresnos, Texas.

16. On December 1, 2006, Mr. Tracey Puechel, from the ICE office in Miami, Florida, contacted Petitioner to inform him that his interview for 'credible fear' would occur in "two to three weeks". In that conversation, Petitioner informed Mr. Puechel that he wanted to submit a 'Freedom of Information Act' request to find out what became of his 2 applications for naturalization from 1977 & 1978. Mr. Puechel then informed Petitioner that he could check that on his computer and after doing so, Mr. Puechel informed the Petitioner that he had self-cancelled his final interview for his naturalization, twice; the first one on December 13, 1978 and the second one on July 6, 1979. Petitioner never knew of these scheduled interviews much less cancel these interviews. Finally, on February 14, 2007, after waiting for more than three months for the 'credible fear' interview, Mr. John Eliot, an Interview Officer from the Houston, Texas, ICE office, came to the ICE detention center at Los Fresnos, to interview Petitioner in person. During that interview, Petitioner asked, and Mr. Eliot confirmed what Mr. Puechel had said to the Petitioner on December 1, 2006. Mr. Eliot said that the word 'cancel' was handwritten across the interview sheet for his final naturalization interview from either 1978 or 1979. Petitioner reiterates; at no time was he ever notified of any scheduled interviews for his applications for naturalization, nor did Petitioner ever

cancel any such interviews scheduled by the INS for his applications for naturalization, as asserted, *supra*.

17. Since Petitioner's detention at the Port Isabel Detention Center in Los Fresnos, he has again re-applied for naturalization, this time under INA §329. On January 10, 2007, Petitioner received confirmation from the Bureau of Citizenship and Immigration Services (BCIS) that on December 26, 2006; they had received and were processing his N-400 application.

ISSUES PRESENTED

18. Title 8 U.S.C. § 1101 (a)(3) defines an alien as "any person not a citizen or national of the United States." In turn, the INA defines a "national of the United States" as "(A) a citizen of the United States, or (B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States." 8 U.S.C. § 1101(a)(22). Only aliens are removable, 8 U.S.C. § 1227.

19. Petitioner strongly believes that he should be accorded the status of citizen or national of the United States, Petitioner respectfully asks this Honorable Court for a clarification on his claims as to whether he is entitled to the status of citizen or national of the United States. In the realm of Immigration law and in the sphere of American society, Petitioner firmly believes that he is a citizen or national of the United States and not an 'alien' and should therefore be deemed "not deportable", pursuant to applicable laws, treaties, statutes and the Constitution of the United States of America.

20. Petitioner's position is best defined in several case laws decided by Courts of the United States. The first one is: ***LEE v. ASHCROFT*, 216 F. Supp. 2d 51 (E.D.N.Y. 2002)**. The Court held that: "Various courts have considered the modern application of the term "national," without agreeing on the precise qualifications for according that status. Long-term residency and a personal claim or beliefs that one "owes allegiance" are clearly insufficient standing alone". *See Oliver*, 517 F.2d at 427 ("The concept of 'owing allegiance' for purposes of nationality is not so easily satisfied or indeed

understood”); *see also United States v. Sotelo*, 109 F.3d 1446, 1448 (9th Cir. 1997) (Alien’s subjective belief that he owed allegiance to the United States was insufficient to establish that he was a national.); *Sierra-Reyes v. INS*, 585 F.2d 762, 764 (5th Cir. 1978) (Alien’s claim to citizenship based on long residency in the United States and lack of allegiance to any other country were insufficient to confer status of national where individual had never filed a petition for naturalization.); *Shittu v. Elwood*, 204 F. Supp. 2d 876, 2002 WL 992036, at *3 (E.D.Pa. 2002) (“Long-term residency alone does not suffice to confer the status of ‘national.’ There must be some objective demonstration of permanent allegiance.”); *Carreon-Hernandez v. Levi*, 409 F. Supp. 1208, 1210 (D. Minn.) (finding petitioner deportable where he had lived and worked in the United States for over 20 years and was married to a U.S. citizen and the parent of a U.S. citizen child, but had never gone through the naturalization process), *aff’d* 543 F.2d 637 (8th Cir. 1976). At a minimum, it appears that to qualify as a national, an individual must have demonstrated his or her allegiance by applying for citizenship. *Hughes v. Ashcroft*, 255 F.3d at 756; *see also Oliver*, 517 F.2d at 428 (finding that the petitioner did not qualify as a national because she continued to owe allegiance to Canada and she had not chosen to renounce that allegiance by naturalizing); *United States v. Morin*, 80 F.3d 124, 126 (4th Cir. 1996) (“An application for citizenship is the most compelling evidence of permanent allegiance to the United States short of citizenship itself.”) The Supreme Court has also identified the application for citizenship as a step in the process of acquiring the full rights of citizenship. *Johnson v. Eisentranger*, 339 U.S. 763, 769-770, 94 L. Ed. 1255, 70 S. Ct. 936 (1950) (“The alien, to whom the United States has been traditionally hospitable, has been accorded a generous and ascending scale of rights as he increases his identity with our society. Mere presence in our country creates an implied assurance of safe conduct and gives him certain rights; they become more extensive and secure when he makes preliminary declaration of intention to become a citizen, and they expand to those of full citizenship upon naturalization.”)”

21. Additionally, the Court of Appeals for the 4th Circuit, in *United States v. Morin*, 80 F.3d 124, 126 (4th Cir. 1996) went precisely to the core of what the Petitioner is requesting of this Honorable Court. The 4th Circuit Court of appeals ruled: “the murder of

“a national of the United States, while such national is outside the United States” is a federal offense punishable “by death or imprisonment for any term of years or for life.” 18 U.S.C. § 2332(a). Morin seeks to escape this offense by alleging that Dr. Soto was not a national of the United States, but rather, a Mexican citizen. Citizenship, however, is not the sine qua non of “nationality.” A “national of the United States” may also be “a person who, though not a citizen of the United States, owes permanent allegiance to the United States.” 8 U.S.C. § 1101 (a)(22). The district court found that because Dr. Soto was a permanent alien of the United States who had applied for United States citizenship, he was indeed “a national of the United States.” We agree - an application for citizenship is the most compelling evidence of permanent allegiance to the United States short of citizenship itself. Accordingly, had Morin succeeded in killing Dr. Soto, the murder would have violated § 2332(a)”.

22. Petitioner strongly believes that he has rightfully earned the status of either citizen or national of the United States. The Petitioner respectfully requests that this Honorable Court confer the status of either citizen or national unto the Petitioner. Petitioner reiterates and adds emphasis to the following facts in his quest for the status of either citizen or national of the United States of America:

23. Petitioner has demonstrated he owes allegiance to the United States of America by having enlisted in, and served in the United States military. Petitioner swore an oath to defend the United States and the United States Constitution against all enemies, foreign and domestic. Petitioner also signed an affidavit of his oath along with his enlistment documents to (validate, justify, legalize, verify and/or confirm) his allegiance to the United States of America. Therefore, by having done these acts, by swearing to defend the United States and by signing the affidavit along with his enlistment documents, Petitioner has clearly demonstrated that he owes his allegiance to the United States.

24. Petitioner has further demonstrated that he owes allegiance to the United States by having exhibited, not once and not twice, but on least three separate occasions, his willingness to become a citizen of the United States. First while he was in the military,

and then with the two separate applications for naturalization in 1978 and 1979, and now, as most recent as his application from December of 2006.

25. Petitioner has lived his entire life, practically, in the United States of America. Petitioner was just an infant (15 months), when he was brought to the United States by his parents and grandparents. Petitioner knows of no other social setting and of no other culture, only that which he has lived in the United States.

26. Since his first day of school back in 1960, Petitioner recited a daily oath of allegiance to the United States. Petitioner Pledged Allegiance to the United States of America every day he attended school, both elementary and high school (1960 – 1971). Petitioner has been educated in the history, the laws, the Constitution, and the language of the United States. Petitioner never attended school in his native country and knows nothing about the history, the laws, the Constitution of Mexico and he knows only the basics of the language.

27. Petitioner repeats and reiterates all facts contained in paragraphs 1-26 above as if fully set forth herein. Altogether, with Petitioner's length of residence in the United States, his military service to the United States government, and with his numerous attempts at becoming a naturalized citizen of the United States, Petitioner firmly believes that he has demonstrated time and again his substantial connection to this country and that he owes his allegiance to the United States of America. Therefore, with Petitioner having respectfully presented the rulings and opinions of several Courts; in the interest of Justice; fairness; to safeguard the Petitioner's rights; and with this Honorable Court being an integral part of ensuring due process of law pursuant to the Fifth Amendment to the Constitution of the United States of America, the Petitioner respectfully asks this Honorable Court to weigh carefully all facts and issues raised in this petition and to apply the Due Process Right pursuant to the Fifth Amendment and the Equal Protection Clause pursuant to the Fourteenth Amendment to the United States Constitution, and consider all facts and issues presented without prejudice.

PRAYER FOR RELIEF

28. Petitioner prays that this Court finds Respondents have Petitioner detained in violation of the laws, treaties and the Constitution of the United States of America, and orders the release of Petitioner from detention.

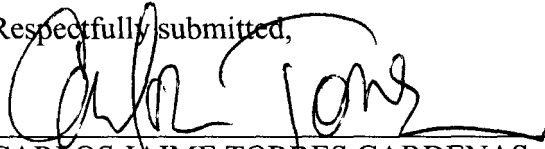
29. Petitioner prays that this Court vacates any and all orders of deportation and remands this case to the proper Immigration Court for appropriate disposition of his case.

30. Therefore, Petitioner prays that a Writ of Habeas Corpus will be issued directly to Respondents, requiring them to show cause why Petitioner should not be discharged from the restraint of liberty now imposed upon him by the Respondents.

WHEREFORE, in light of the aforementioned facts and arguments raised herein, Petitioner prays that this Court grant the relief sought and any further relief as this Court deemed just, proper and equite under the circumstances. Petitioner respectfully asks this Honorable Court to interpret the foregoing liberally and not subject the Petitioner's petition for Writ of Habeas Corpus to the same standards that would apply to pleadings drafted by lawyers. *See e.g. Haines v. Kerner*, 404 U.S. 519, 520, 30 L. Ed. 2d 652, 92 S. Ct. 594 (1972) (per curiam); *Hughes v. Rome*, 449 U.S. 5, 9, 101 S. Ct. 173, 175, 66 L. Ed. 2d 163 (1980) (per curiam).

Dated: This 1ST day of APRIL, 2007.

Respectfully submitted,



CARLOS JAIME TORRES CARDENAS, Pro se
A # 10-524-232

27991 Buena Vista Rd.
Los Fresnos, Texas 78566

CERTIFICATE OF TRANSLATION

SUBJECT: BIRTH CERTIFICATE

PERSON CONCERNED: CARLOS JAIME TORRES CARDENAS

UNITED STATES OF MEXICO

CIVIL REGISTRY

CONTROL NO.

3604816

IN THE NAME OF THE FREE AND SOVEREIGN STATE OF: **NUEVO LEON**, AND AS THE ONLY OFFICIAL OF THE CIVIL REGISTRY OF THIS MUNICIPALITY OR DELEGATION, I CERTIFY THAT IN BOOK NO. **ONE** OF THE CIVIL REGISTRY THAT IS IN MY CHARGE, ON PAGE NO.: **27**, IS FOUND AND ESTABLISHED THAT CERTIFICATE NO.: **83**, DATED: **12TH OF FEBRUARY OF 1955**, WAS ENTERED BY THE FORMER OFFICIAL OF THE CIVIL REGISTRY: **C. ELIAS ANCER VITAR**, ON WHICH IS FOUND THE FOLLOWING INFORMATION: **GENERAL TERAN, NUEVO LEON (N.L.)**

CERTIFICATE OF BIRTH

NAME: CARLOS JAIME TORRES CARDENAS

DATE OF BIRTH: 12 OF AUGUST OG 1954

TIME: 19:00

TYPE OF BIRTH: ALIVE: X DEAD: SEX: MALE: X FEMALE:

PLACE OF BIRTH: HACIENDEA SAN JOAQUIN, GENERAL TERAN, NUEVO LEON

PARENTS

NAME: ISAAC TORRES NATIONALITY: MEXICAN AGE: 22 YEARS

NAME: VIRGINIA CARDENAS NATIONALITY: MEXICAN AGE: 20 YEARS

GRANDPARENTS

PATERNAL GRANDFATHER: EDUARDO TORRES NATIONALITY: -----

PATERNAL GRANDMOTHER: JOSEFINA JIMENEZ NATIONALITY: -----

MATERNAL GRANDFATHER: AMADOR CARDENAS NATIONALITY: -----

MATERNAL GRANDMOTHER: MARGARITA QUINTANILLA NATIONALITY: -----

WITNESSESS

NAME: JOSE ESPARZA NATIONALITY: MEXICAN AGE: - - - YEARS

NAME: GUADALUPE RODRIGUEZ NATIONALITY: MEXICAN AGE: - - - YEARS

EXHIBIT A

DISTINCT PERSON OF THE PARENTS WHO PRESENTED THE REGISTERED

NAME: _____ RELATION: _____ AGE: ____ YEARS

HIS CERTIFICATION IS WRITTEN IN COMPLIANCE WITH ARTICLE 46 OF THE CIVIL CODE
VALID IN THE STATE IN: **GENERAL TERAN, NUEVO LEON** ON THE **8TH** DAY OF THE
MONTH OF **MAY** OF **1998**.

THE ONLY OFFICIAL OF THE CIVIL REGISTRY, I GIVE WITNESS

C. LIC. HUMBERTO RUBEN CAVAZOS GARCIA

NAME

SIGNATURE

BOTTOM RIGHT-HAND CORNER:

OFFICIAL SEAL OF THE CIVIL REGISTRY



ESTADOS UNIDOS MEXICANOS

REGISTRO CIVIL

No. DE CONTROL

3604816

E.G.G.

EN NOMBRE DEL ESTADO LIBRE Y SOBERANO DE NUEVO LEON
Y COMO OFICIAL UNICO DEL REGISTRO CIVIL DE ESTE MUNICIPIO O DELEGACION,
CERTIFICO: QUE EN EL LIBRO No. UNO DEL REGISTRO CIVIL QUE ES A MI CARGO,
EN LA FOJA No. 27 SE ENCUENTRA ASENTADA EL ACTA No. 83 DE FECHA
12 DE FEBRERO DE 1955 LEVANTADA POR EL C. OFICIAL UNICO
DEL REGISTRO CIVIL C. ELIAS ANCER VITAR
EN LA CUAL SE CONTIENEN LOS SIGUIENTES DATOS: GENERAL TERAN, N.L.,

ACTA DE NACIMIENTO

CARLOS JAIME TORRES CARDENAS

NOMBRE

FECHA DE NACIMIENTO 12 DE AGOSTO DE 1954 HORA 19.00PRESENTADO: VIVO ☒ MUERTO ☐ SEXO: MASCULINO ☒ FEMENINO ☐LUGAR DE NACIMIENTO HACIENDA DE SAN JOAQUIN: GENERAL TERAN, N.L.,COMPARECIO: EL PADRE ☐ LA MADRE ☒ AMBOS ☐ PERSONA DISTINTA ☐ REGISTRADO ☐

PADRES

NOMBRE ISAAC TORRES NACIONALIDAD MEXICANO EDAD 22 AÑOSNOMBRE VIRGINIA CARDENAS NACIONALIDAD MEXICANA EDAD 20 AÑOS

ABUELOS

ABUELO PATERNO EDUARDO TORRES NACIONALIDAD = = =ABUELA PATERNA JOSEFINA JIMENEZ NACIONALIDAD = = =ABUELO MATERNO AMADOR CARDENAS NACIONALIDAD = = =ABUELA MATERNA MARGARITA QUINTANILLA NACIONALIDAD = = =

TESTIGOS

NOMBRE JOSE ESPARZA NACIONALIDAD = = = EDAD = AÑOSNOMBRE GUADALUPE RODRIGUEZ NACIONALIDAD = = = EDAD = AÑOSNo. DE CERTIFICADO DE NACIMIENTO = C.U.R.P. =

PERSONA DISTINTA DE LOS PADRES QUE PRESENTA AL REGISTRADO

NOMBRE = PARENTESCO = EDAD = AÑOS

SE EXTIENDE ESTA CERTIFICACION, EN CUMPLIMIENTO DEL ARTICULO 46 DEL
CODIGO CIVIL VIGENTE EN EL ESTADO, EN GENERAL TERAN, NUEVO LEON
A LOS 8 DIAS DEL MES DE MAYO DE 1998

EL C. OFICIAL UNICO DEL REGISTRO CIVIL, DOY FE

C. LIC. HUMBERTO RUBEN CAVAZOS GARCIA

NOMBRE

FIRMA

SELLO DE LA OFICIALIA
DEL REGISTRO CIVIL

GOBIERNO DEL ESTADO
DE NUEVO LEON
SECCION DEL REGISTRO CIVIL
OFICIALIA PRIMERA
GRAL. TERAN, N. L.

EXHIBIT A

Certificate of Baptism



Church of

H. Michael
Overo, Texas.

This is to Certify

That Refugia Jimenez
Child of José Jimenez
and Flora Salazar
born in De Witt Co., Texas on the
4 day of June 1910 was Baptized
on the 29 day of Oct. 1910

According to the Rite of the Roman Catholic Church

by the Rev. S. J. Hendricks
the Sponsors being Pedro Ramirez
and Refugia Flores as appears from
the Baptismal Register of this Church.

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Dated Jan. 17 1966.
no
annotations
on record. Wm. J. [Signature], Pastor.

EXHIBIT B

CERTIFICATION OF VITAL RECORD

City of McAllen

STATE OF TEXAS

CERTIFICATE OF DEATH

STATE FILE NUMBER

1 NAME OF DECEASED (a) FIRST ISAAC		(b) MIDDLE TORRES		(c) LAST TORRES	(d) MAIDEN MALE	2 SEX MALE	3 DATE OF DEATH APRIL 13, 1999
4 DATE OF BIRTH APRIL 5, 1932		5 AGE (IN YEARS) 67	6 BIRTH PLACE (CITY & STATE OR FOREIGN COUNTRY) GENERAL TERAN N.L. MEXICO		7 SOCIAL SECURITY NO 466-60-2733		
8 RACE CAUCASIAN	9a WAS THE DECEDENT OF HISPANIC ORIGIN? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	9b IF YES, SPECIFY (MEXICAN, CUBAN, PUERTO RICAN, ETC.) MEXICAN		10 WAS DECEDENT EVER IN U.S. ARMED FORCES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		11 EDUCATION (SPECIFY HIGHEST GRADE COMPLETED, ELEM. OR SECONDARY (0-12) COLLEGE (13-16, 17+) 3rd	
12 MARITAL STATUS <input checked="" type="checkbox"/> MARRIED <input type="checkbox"/> NEVER MARRIED <input type="checkbox"/> WIDOWED <input type="checkbox"/> DIVORCED		13 SURVIVING SPOUSE (IF WIFE, GIVE MAIDEN NAME) VIRGINIA CARDENAS		14a DECEDENT'S USUAL OCCUPATION SEWAGE PLANT OPERATOR		14b KIND OF BUSINESS OR INDUSTRY CITY OF HOUSTON	
15a RESIDENCE STREET ADDRESS 302 BERTHA						15b CITY OR TOWN MISSION	
15c COUNTY HIDALGO		15d STATE TEXAS		15e ZIP CODE 78572		15f INSIDE CITY LIMITS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
16 FATHER'S NAME EDUARDO TORRES				17 MOTHER'S MAIDEN NAME JOSEFINA JIMENEZ			
18 PLACE OF DEATH (CHECK ONLY ONE) HOSPITAL <input checked="" type="checkbox"/> INPATIENT <input type="checkbox"/> EMERGENCY <input type="checkbox"/> DOA <input type="checkbox"/> OTHER <input type="checkbox"/> NURSING HOME <input type="checkbox"/> RESIDENCE <input type="checkbox"/> OTHER (SPECIFY)							
19 COUNTY OF DEATH HIDALGO		20 CITY OR TOWN (IF OUTSIDE CITY LIMITS, GIVE PRECINCT NO.) MCALLEN		21 NAME OF HOSPITAL OR INSTITUTION (If not in institution, show street address) MCALLEN MEDICAL CENTER			
22 INFORMANT - SIGNATURE & RELATIONSHIP <i>Virginia Torres</i> WIFE				23 MAILING ADDRESS OF INFORMANT 302 BERTHA MISSION, TEXAS 78572			
24 METHOD OF DISPOSITION <input checked="" type="checkbox"/> BURIAL <input type="checkbox"/> CREMATION <input type="checkbox"/> REMOVAL FROM STATE <input type="checkbox"/> DONATION <input type="checkbox"/> OTHER (SPECIFY)		25a PLACE OF DISPOSITION (NAME OF CEMETERY, CREMATORY OR OTHER PLACE) VALLEY MEMORIAL GARDEN		25b LOCATION (CITY, STATE) MCALLEN, TEXAS		26 NAME & ADDRESS OF FUNERAL HOME FLORES FUNERAL HOME INC. 219 SOUTH MAYBERRY MISSION, TEXAS 78572	
27 SIGNATURE OF FUNERAL DIRECTOR OR PERSON ACTING AS SUCH <i>Veronica Imelda Flores</i>		28 DATE OF DISPOSITION APRIL 16, 1999					
30 CERTIFIER <input checked="" type="checkbox"/> CERTIFYING PHYSICIAN TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE TIME, DATE, AND PLACE, AND DUE TO THE CAUSE(S) AND MANNER AS STATED <input type="checkbox"/> MEDICAL EXAMINER ON THE BASIS OF EXAMINATION AND/OR INVESTIGATION, IN MY OPINION, DEATH OCCURRED AT THE TIME, DATE, PLACE, AND DUE TO THE CAUSE(S) AND MANNER AS STATED <input type="checkbox"/> JUSTICE OF THE PEACE							
31 SIGNATURE & TITLE OF CERTIFIER <i>Socrates A. Garrigos M.D.</i>				32 DATE SIGNED APR 13 1999		33 TIME OF DEATH 4:03 a. m.	
34 PRINTED NAME & ADDRESS OF CERTIFIER SOCRATES A. GARRIGOS M.D. 501 N. WARE RD. MCALLEN, TEXAS 78504							
35 PART 1 ENTER THE DISEASES, INJURIES OR COMPLICATIONS THAT CAUSED THE DEATH. DO NOT ENTER THE MODE OF DYING SUCH AS CARDIAC OR RESPIRATORY ARREST, SHOCK, OR HEART FAILURE. LIST ONLY ONE CAUSE ON EACH LINE. IMMEDIATE CAUSE (Final disease or condition resulting in death) → Alcoholic Liver Disease DUE TO (OR AS A LIKELY CONSEQUENCE OF): Sequentially list conditions, if any, leading to immediate cause. Enter UNDERLYING CAUSE (disease or injury that initiated events resulting in death) LAST. b. DUE TO (OR AS A LIKELY CONSEQUENCE OF): c. DUE TO (OR AS A LIKELY CONSEQUENCE OF): d. DUE TO (OR AS A LIKELY CONSEQUENCE OF):						Approximate Interval Between Onset and Death	
PART 2 OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN PART 1 (i.e., substance abuse, diabetes, smoking, etc.)						36a AUTOPSY? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
37 DID TOBACCO USE CONTRIBUTE TO DEATH <input type="checkbox"/> YES <input type="checkbox"/> PROBABLY <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNKNOWN						38 DID ALCOHOL USE CONTRIBUTE TO DEATH <input checked="" type="checkbox"/> YES <input type="checkbox"/> PROBABLY <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN	
39. WAS DECEDENT PREGNANT AT TIME OF DEATH <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK WITHIN LAST 12 MO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK		40 MANNER OF DEATH <input checked="" type="checkbox"/> NATURAL <input type="checkbox"/> ACCIDENT <input type="checkbox"/> SUICIDE <input type="checkbox"/> HOMICIDE <input type="checkbox"/> PENDING INVESTIGATION <input type="checkbox"/> COULD NOT BE DETERMINED					
41a. DATE OF INJURY		41b. TIME OF INJURY M		41c. INJURY AT WORK <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		41d. PLACE OF INJURY - AT HOME, FARM, STREET, FACTORY, OFFICE, ETC. (SPECIFY)	
41e. LOCATION (STREET AND NUMBER, CITY OR TOWN, STATE)							
41f. DESCRIBE HOW INJURY OCCURRED							
42a. REGISTRAR FILE NO 02 - 503				42b. DATE RECEIVED BY LOCAL REGISTRAR MAY 04 1999		42c. SIGNATURE OF LOCAL REGISTRAR JANIE MADERO LOCAL REGISTRAR	

Texas Department of Health - Bureau of Vital Statistics

WARNING: The penalty for knowingly making a false statement in this form can be 2-10 years in prison and a fine of up to \$10,000. (Health and Safety Code, Sec. 195, 1989)

VS-112 REV. 9/95

EXHIBIT C

67657

CERTIFIED COPY OF VITAL RECORDS

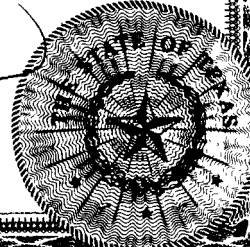
STATE OF TEXAS
COUNTY OF HIDALGO

DATE ISSUED
MAY 04 1999

This is a true certification of a vital record as recorded in this office and under Authority of Rule 54A, Article 4477, Revised Civil Statutes of Texas

Registrar/Deputy Registrar

This copy not valid unless prepared on engraved border displaying seal and signature of Registrar.
LAMINATION MAY VOID CERTIFICATE.



INA: ACT 301 - NATIONALS AND CITIZENS OF THE UNITED STATES AT BIRTH

Sec. 301. [8 U.S.C. 1401] The following shall be nationals and citizens of the United States at birth:

(a) a person born in the United States, and subject to the jurisdiction thereof;

(b) a person born in the United States to a member of an Indian, Eskimo, Aleutian, or other aboriginal tribe: Provided, That the granting of citizenship under this subsection shall not in any manner impair or otherwise affect the right of such person to tribal or other property;

(c) a person born outside of the United States and its outlying possessions of parents both of whom are citizens of the United States and one of whom has had a residence in the United States or one of its outlying possessions, prior to the birth of such person;

(d) a person born outside of the United States and its outlying possessions of parents one of whom is a citizen of the United States who has been physically present in the United States or one of its outlying possessions for a continuous period of one year prior to the birth of such person, and the other of whom is a national, but not a citizen of the United States;

(e) a person born in an outlying possession of the United States of parents one of whom is a citizen of the United States who has been physically present in the United States or one of its outlying possessions for a continuous period of one year at any time prior to the birth of such person;

(f) a person of unknown parentage found in the United States while under the age of five years, until shown, prior to his attaining the age of twenty-one years, not to have been born in the United States;

(g) a person born outside the geographical limits of the United States and its outlying possessions of parents one of whom is an alien, and the other a citizen of the United States who, prior to the birth of such person, was physically present in the United States or its outlying possessions for a period or periods totaling not less than five years, at least two of which were after attaining the age of fourteen years: Provided, That any periods of honorable service in the Armed Forces of the United States, or periods of employment with the United States Government or with an international organization as that term is defined in section 1 of the International Organizations Immunities Act (59 Stat. 669; 22 U.S.C. 288) by such citizen parent, or any periods during which such citizen parent is physically present abroad as the dependent unmarried son or daughter and a member of the household of a person (A) honorably serving with the Armed Forces of the United States, or (B) employed by the United States Government or an international organization as defined in section 1 of the International Organizations Immunities Act, may be included in order to satisfy the physical-presence requirement of this paragraph. This proviso shall be applicable to persons born on or after December 24, 1952, to the same extent as if it had become effective in its present form on that date; and

(h) a person born before noon (Eastern Standard Time) May 24, 1934, outside the limits and jurisdiction of the United States of an alien father and a mother who is a citizen of the United States who, prior to the birth of such person, had resided in the United States. 302 persons born in Puerto Rico on or after April 11, 1899

EXHIBIT D



IMPORTANT RECORD
SAFEGUARD IT

1. LAST NAME-FIRST NAME-MIDDLE NAME TORRES CARLOS JAIME			2. SEA M	3. SOCIAL SECURITY NUMBER 568 80 8443	4. DATE OF BIRTH YEAR 54 MONTH 08 DAY 12
5. DEPARTMENT, COMPONENT AND BRANCH OR CLASS ARMY RA			6. GRADE RATE OR RANK SP4	7. PAY GRADE E4	8. DATE OF RANK YEAR 74 MONTH 03 DAY 01
9. SELECTIVE SERVICE NUMBER DNA		10. SELECTIVE SERVICE LOCAL BOARD NUMBER CITY, STATE AND ZIP CODE DNA		11. HOME OF RECORD AT TIME OF ENTRY INTO ACTIVE SERVICE (Street, RFD, City, State and ZIP Code) 6810 E Acampo Road Acampo, CA 95220	
12. TYPE OF SEPARATION Relief from active duty			13. STATION OR INSTALLATION AT WHICH EFFECTED Fort Bragg, NC 28307		
14. CHARACTER OF SERVICE HONORABLE			15. TYPE OF CERTIFICATE ISSUED DNA		
16. LAST DUTY ASSIGNMENT AND MAJOR COMMAND B Btry 1/73d FA FORSTON			17. COMMAND TO WHICH TRANSFERRED USAR CON GP (Reinf) APOC, 9700 Page Blvd, St. Louis, MO 63132		
18. TERMINAL DATE OF RESERVE/MSO OBLIGATION YEAR 78 MONTH 08 DAY 14		19. PLACE OF ENTRY INTO CURRENT ACTIVE SERVICE (City, State and ZIP Code) Oakland, CA 94612		20. DATE ENTERED ACTIVE DUTY THIS PERIOD YEAR 72 MONTH 08 DAY 15	
21. PRIMARY SPECIALTY NUMBER AND TITLE 13B10 FA Cwmm 740429/7502/125		22. RELATED CIVILIAN OCCUPATION AND D.O.T. NUMBER DNA		23. RECORD OF SERVICE (a) NET ACTIVE SERVICE THIS PERIOD 3 11 27 (b) PRIOR ACTIVE SERVICE 0 0 0 (c) TOTAL ACTIVE SERVICE (a+b) 3 11 27 (d) PRIOR INACTIVE SERVICE 0 0 0 (e) TOTAL SERVICE FOR PAY (c+d) 3 11 27 (f) FOREIGN AND/OR SEA SERVICE THIS PERIOD 0 0 0	
24. SECONDARY SPECIALTY NUMBER AND TITLE DNA		25. RELATED CIVILIAN OCCUPATION AND D.O.T. NUMBER DNA		26. HIGHEST EDUCATION LEVEL SUCCESSFULLY COMPLETED (In Years) SECONDARY/HIGH SCHOOL 12 YRS (1-12 grades) COLLEGE 0 YRS	
27. INDOCHINA OR KOREA SERVICE SINCE AUGUST 5, 1964 <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		28. TIME LOST (Preceding Two Yrs.) 23 Days		29. DAYS ACCRUED LEAVE PAID 18	
30. SERVICEMEN'S GROUP LIFE INSURANCE COVERAGE <input type="checkbox"/> \$10,000 <input checked="" type="checkbox"/> \$20,000 <input type="checkbox"/> \$10,000 <input type="checkbox"/> NONE		31. DISABILITY SEVERANCE PAY <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES DNA		32. PERSONNEL SECURITY INVESTIGATION a. TYPE DNA b. DATE COMPLETED DNA	
33. DECORATIONS, MEDALS, BADGES, COMMENDATIONS, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED National Defense Service Medal, Expert Badge M-16, Driver's Badge					
34. REMARKS Individual request a copy of DD Form 214 C.F.T. Item 21: 23 days lost under Title 10 USC 972 C.F.T. Truck Driver's Crs					
35. MAILING ADDRESS AFTER SEPARATION (Street, RFD, City, State and ZIP Code) P. O. Box 141 Acampo, CA 95220			36. SIGNATURE OF PERSON BEING SEPARATED <i>Carlos J. Torres</i>		
37. TYPED NAME, GRADE AND TITLE OF AUTHORIZING OFFICER B. J. ANTHONY, CPT AGC, ASST AG			38. SIGNATURE OF OFFICER AUTHORIZED TO SIGN <i>B. J. Anthony</i>		

EXHIBIT

CERTIFICATION OF VITAL RECORD

CITY OF HARLINGEN BUREAU OF VITAL STATISTICS

STATE OF TEXAS

CERTIFICATE OF DEATH

STATE FILE NUMBER

1 NAME OF DECEASED (a) FIRST (b) MIDDLE (c) LAST		(d) MAIDEN	2 SEX	3 DATE OF DEATH
Oscar Noel Torres			Male	Nov. 5, 1998
4 DATE OF BIRTH	5 AGE (IN YEARS)	6 BIRTH PLACE (CITY & STATE OR FOREIGN COUNTRY)	7 SOCIAL SECURITY NO	
Nov. 26, 1960	37	Lodi, California	545-08-7099	
8 RACE	9 WAS THE DECEDENT OF HISPANIC ORIGIN?	10 IF YES, SPECIFY MEXICAN, CUBAN, PUERTO RICAN, ETC.	11 WAS DECEDENT EVER IN U.S. ARMED FORCES?	11 EDUCATION (SPECIFY HIGHEST GRADE COMPLETED, ELEM. OR SECONDARY (9-12) COLLEGE (13-16 17+)
Caucasian	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Mexican	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	12
12 MARITAL STATUS	13 SURVIVING SPOUSE (IF WIFE, GIVE MAIDEN NAME)		14a. DECEDENT'S USUAL OCCUPATION	14b. KIND OF BUSINESS OR INDUSTRY
<input type="checkbox"/> MARRIED <input checked="" type="checkbox"/> NEVER MARRIED <input type="checkbox"/> WIDOWED <input type="checkbox"/> DIVORCED			Installer	Countertops
15a. RESIDENCE STREET ADDRESS			15b. CITY OR TOWN	
302 Bertha Street			Mission	
15c. COUNTY	15d. STATE	15e. ZIP CODE	15f. INSIDE CITY LIMITS	
Hidalgo	Texas	78572	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
18 FATHER'S NAME		17 MOTHER'S MAIDEN NAME		
Isaac Torres Sr.		Virginia Cardenas		
18 PLACE OF DEATH (CHECK ONLY ONE)				
HOSPITAL <input type="checkbox"/> INPATIENT <input checked="" type="checkbox"/> OUTPATIENT <input type="checkbox"/> DCA <input type="checkbox"/> OTHER <input type="checkbox"/> NURSING HOME <input type="checkbox"/> RESIDENCE <input type="checkbox"/> OTHER (SPECIFY)				
19 COUNTY OF DEATH	20 CITY OR TOWN (IF OUTSIDE CITY LIMITS, GIVE PRECINCT NO.)		21 NAME OF HOSPITAL OR INSTITUTION (If not in residence, show street address)	
Cameron	Harlingen		Valley Baptist Medical Center	
22 INFORMANT - SIGNATURE & RELATIONSHIP			23 MAILING ADDRESS OF INFORMANT	
Carlos Jaime Torres - Brother			302 Bertha St. Mission, TX 78572	
24 METHOD OF DISPOSITION		25a. PLACE OF DISPOSITION NAME OF CEMETERY OR CHURCH OR OTHER PLACE	25b. Section	26. NAME & ADDRESS OF FUNERAL HOME
<input checked="" type="checkbox"/> BURIAL		Valley Memorial	R	Rivera Funeral Home
<input type="checkbox"/> CREMATION		26. LOCATION (CITY, STATE)	Block	1813 N. Conway
<input type="checkbox"/> REMOVAL FROM STATE		Mc Allen, Texas	Lot	Mission, TX 78572
<input type="checkbox"/> DONATION		27 SIGNATURE OF FUNERAL DIRECTOR OR PERSON ACTING AS SUCH	Space	
<input type="checkbox"/> OTHER (SPECIFY)		Ralph Torres #9910	Unknown <input type="checkbox"/>	
		28 DATE OF DISPOSITION		
		Nov. 9, 1998		
30. CERTIFIER				
<input type="checkbox"/> CERTIFYING PHYSICIAN TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE TIME, DATE, AND PLACE, AND DUE TO THE CAUSE(S) AND MANNER AS STATED.				
<input type="checkbox"/> MEDICAL EXAMINER ON THE BASIS OF EXAMINATION AND/OR INVESTIGATION, IN MY OPINION, DEATH OCCURRED AT THE TIME, DATE, PLACE, AND DUE TO THE CAUSE(S) AND MANNER AS STATED				
<input checked="" type="checkbox"/> JUSTICE OF THE PEACE				
31 SIGNATURE & TITLE OF CERTIFIER			32. DATE SIGNED	33. TIME OF DEATH
<i>[Signature]</i> JP			MO 12 DAY 09 YEAR 98	11:17 A.M.
34. PRINTED NAME & ADDRESS OF CERTIFIER				
Oscar De La Fuente 181 W Rowson San Benito, Tx 78586				
35. PART 1 ENTER THE DISEASES, INJURIES OR COMPLICATIONS THAT CAUSED THE DEATH. DO NOT ENTER THE MODE OF DYING SUCH AS CARDIAC OR RESPIRATORY ARREST, SHOCK, OR HEART FAILURE. LIST ONLY ONE CAUSE ON EACH LINE.				
IMMEDIATE CAUSE (Final disease or condition resulting in death) → Massive, hypertrophic cardiomyopathy, with : Massive thickening DUE TO (OR AS A LIKELY CONSEQUENCE OF) of all cardiac chamber walls.				
Sequentially list conditions, if any, leading to immediate cause. Enter UNDERLYING CAUSE (disease or injury that initiated events resulting in death) LAST { Asymmetric, increased thickening of upper part of intraventricular septum. DUE TO (OR AS A LIKELY CONSEQUENCE OF): Widespread myocardial interstitial fibrosis. DUE TO (OR AS A LIKELY CONSEQUENCE OF): Marked dilation of both cardiac atria.				
PART 2 OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN PART 1 (e.g., substance abuse, diabetes, smoking, etc.)				
36a. AUTOPSY?				
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO				
36b. AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH?				
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO				
37. DID TOBACCO USE CONTRIBUTE TO DEATH		38. DID ALCOHOL USE CONTRIBUTE TO DEATH		39. WAS DECEDENT PREGNANT
<input type="checkbox"/> YES <input type="checkbox"/> PROBABLY <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		<input type="checkbox"/> YES <input type="checkbox"/> PROBABLY <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		AT TIME OF DEATH <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNK
				WITHIN LAST 12 MO <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNK
40. MANNER OF DEATH		41a. DATE OF INJURY	41b. TIME OF INJURY	41c. INJURY AT WORK
<input checked="" type="checkbox"/> NATURAL				<input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> ACCIDENT		41d. LOCATION (STREET AND NUMBER, CITY OR TOWN, STATE)		
<input type="checkbox"/> SUICIDE				
<input type="checkbox"/> HOMICIDE		41e. DESCRIBE HOW INJURY OCCURRED		
<input type="checkbox"/> PENDING INVESTIGATION				
<input type="checkbox"/> COULD NOT BE DETERMINED				
42a. REGISTRAR FILE NO.	42b. DATE RECEIVED BY LOCAL REGISTRAR	42c. SIGNATURE OF LOCAL REGISTRAR		
03-788	12/29/98	Belia Zavala by <i>[Signature]</i> Dep		

WARNING: The penalty for knowingly making a false statement in this form can be 2-10 years in prison and a fine of up to \$10,000. (Health and Safety Code, Sec. 191.186)

VS-112 REV. 9/95

EXHIBIT 5

00157

STATE OF TEXAS
COUNTY OF CAMERON

DATE ISSUED 01-05-99

This is a true and correct certification of the original record as recorded in this office. Issued under Authority of Sec 191.051, Health and Safety Code

[Signature]
LOCAL REGISTRAR/DEPUTY

DO NOT ACCEPT UNLESS PREPARED ON SECURITIZED PAPER WITH ENGRAVED BORDER DISPLAYING THE CITY OF HARLINGEN SEAL AND SIGNATURE OF THE REGISTRAR NOT VALID IF PHOTOCOPIED.

WARNING: IT IS ILLEGAL TO DUPLICATE THIS COPY.

